DOUBLE SHEET.

NEWS BY TELEGRAPH. INTERESTING CONGRESSIONAL BUSINESS

Debate in the Senate on the California Land Bill.

THE HOUSE AT WORK ON THE DIFICIENCY APPROPRIATION BILL. Discussion Relative to the Tariff.

Proceedings in the New York Legislature.

&c., &c., &c.

THIRTY-PIRST CONGRESS. SECOND SESSION.

Senate. BY MORSE'S MAGNETIC TELEGRAPH.
OFFICE, CORNER OF BEAVER AND HANDVER STREETS.
WASHINGTON, Jan. 28, 1851.

Mr. CLAY presented two petitions from Pittsburgh and Uniontown, Penn., complaining of the operations of the tariff of 1846, and representing the suffering interests of fron, coal, glass, cotton, and weellens, by the ad valerem, instead of the specific duties.

Mr. Hamlin presented two petitions from Maine, for the repeal of the Fugitive Slave law. Tabled. Mr. HUNTER, from the Finance Committee, reported

back the bill for the appointment of appraisers at large, with an amendment.

Mr. Walken offered a resolution calling on the Com-nissioner of Patents to report whether the present Patent Office building is not sufficient for the business of the office, if the national curiosities be removed from

of the office, if the national curiosities be removed from the upper story.

After debate, the resolution was addressed to the Secretary of the Interior, instead of the Commissioner of Patents, and adopted.

THE SMITHSONIAN INSTITUTION.

Mr. Walker's resolution, calling on the regents of the Smithronian Institution to report why they have not removed the curiosities from the Patent Office building, was laid over.

THE SMIZUBE OF AN AMERICAN VESSEL IN OREGON BY THE SMIZUBE OF AN AMERICAN VESSEL IN OREGON BY THE

THE SEIZUBE OF AN AMERICAN VESSEL IN OREGON BY THE MET. GWIN offered a resolution, calling for the correspondence between the United States and the British authorities, relative to the seizure of a vessel at Astoria, Oregon. Adopted.

Mr. Hall offered a resolution, directing inquiry whether any persons or corporations in the District of Columbia undertake to issue bank notes not payable in gold or silver, and whether such issues are according to law. Adopted.

DISCIPLINE IN THE NAVY.

Mr. Badder, from the Naval Committee, to whom had been referred the communication of the Secretary of the Navy about the abolition of flogging in the navy, reported a bill to enforce discipline and promote good conduct and order in the navy. The bill provides punishment by dismissal, discharge, and by solitary confinement in irons, not exceeding thirty days, and to be fed on bread and water.

rices punishment by dismissal, discharge, and by solitary confinement in irons, not exceeding thirty days, and to be fed on bread and water.

THE CALPORNIA PRIVATE LAND CLAIM RILL
was taken up. The 13th section of the bill provides that all claims rejected by the Commissioners, on which an appeal shall be decided to be invalid and all land claims which shall not be presented within two years, shall be deemed the property of the United States. On all claims affirmed a patent shall issue; provided, that, if the title of any claimant to such lands shall be contested by any other person, it shall be lawful for such other person to file a petition in the district court, plainly and distinctly setting forth his title thereto.—A copy of the petition to be served on the adverse party thirty days before the time appointed for a hearing.—The section also gives the Judge power to grant an injunction on this petition, restricting a patent being issued until the titles therete shall be finally decided. If Mr. Barrors moved to strike out all that part of the section which allows third parties to come in and contest the issuing of the patent by petition.

Mr. Barrors moved to be stricken out by Mr. Benton.

Mr. Barrors moved to be stricken out by Mr. Benton.

Mr. Barrors and that yesterday he had shown this bill to be flagrant, and in violation of the constitution of the United States, and equidicary acts. It proposed to give United States courts the right to try issue, mean and teum, between private citizens. The Senator from Georgis; had endeavored to shelter himself behind Col. Fremont; but Col. F. had read the constitution of the United States, and could not have made such blunders. The bill proposed to take away a man's land by a decision of these commissioners—this was a blunder. Col. Fremont; but Col. F. had read the constitution of the United States, and could not have made on to come forward to change the principal errors of the bill, but contents himself with using pluhooka in picking out to court to defend his land errors of the bill, but contents himself with using pinhooks in picking out nouns, articles, conjunctions,
and prepositions leaving the hideous section still in
its deformity. The bill allows the United States to
bring a man into court to defend his land; and after
beating the United States and its lawyers, with all
their quibbles and tricks, it allows everybody else to
come in and jump on his back to attack him in the
front and rear, and on both flanks—they can cover
him with petitions—they can "smitchim," as an old
French translator of the Bible said Samson did the
Philistines, "back and belly." He (Mr. B.) was always the friend of actual settlers. He commenced his
support of them in 1800, when in the deneral Assembly
of Tennessee, and has continued it till now. The actual settlers in California were those who went there
seventy years ago—they were such men as Castro,
who had seven and twenty children born on the soil.
He again denounced the bill as unconstitutional and
hideously unjust.

Mr. Benemes and that if the rudeness of manner and
language in which the Senator from Missouri has attacked this bill and myself, aford him any gratification he is at perfect liberty to enjoy himself. I have
my duty to perform, and if any one supposes I can be
deterred in the performance of that duty by such denunciations, all I have to say is, that I admire his simplicity. Mr. Berrien then explained the bill as doing
nothing more than enlarging, by act of Congress, the
jurisdiction of the United States Court. This he held
to be perfectly constitutional. The Senator from Missouri stands on its unconstitutionality. I sak the Semate te decide between us—I will be content with the
decision. The denunciations by the Senator from
Missouri sflect me not.

Mr. Benyos again addressed the Senate, showing the
objections to the bill. He said that the Senator from

Mr. BENTON again addressed the Senate, showing the on, Beyon again addressed the Senate, showing the chisctions to the bill. He said that the Senator from Georgia had been seized with a sudden paroxyam of dignity. He dealt not with the Senator, but with the bill, and the Senator, by his amendments to-day, admits the bill to be all that he represented. During a legislation of 45 years he had known no precedent for such a section as this, and if the bill had been referred to the Land Committee this section would never have appeared. Hate thought that part of the bill which said

appeared.

Mr. Hall thought that part of the bill which said that "uniess the claim be made within two years, the land should be deemed the property of the United States." was unconstitutional.

Mr. Burles differed with the Senator from New Hampehire. The bill, in effect, was only a commission, to make partition among several parties. If any one refused to make known his claim, his right was taken from him; and when the government should patent lands to some one else, he could prove his claim in court; but the bill was most benignent to the claimants—it allowed them to show their claims and get United States patents, thereby making them good for ever. The bill proposed to divide United States land from private property; but he hardly thought that the United States would have much of it. If any was laid down as public land, it would be given away for railroads, or under the bill to give everybody a farm, or to give all lands to States. He did not know but the best way was to give it all to California, and let the parties fight it out among themselves. It would then be a great place for lawyers. He was in favor of the bill. In his opinion it was clearly constitutional.

Mr. Evenu explained that should any one refuse to all bit his claim for two years, he would be exactly in the same position as if the bill had not passed.

Mr. Berrice's amendments were eventually agreed to, and Mr. Benton's motion to strike out was reject tod, by yeas 10, nays 37.

Mr. Bessure offered several minor amendments, which were agreed to amend, by providing that a patent granted by the United States, shall only be considered as a retinquishment by the United States.

After some further debate, the Benate adjourned.

BY BAIN'S ELECTRO-CHEMICAL TRUEGRAPH

WASHINGTON, Jan 28, 1851.

MINNESOTA.

The Senate bill to reduce and define the boundary, of the military reserve on St. Peters river, Minnesott and securing the rights of actual settlers, was referred to the Committee on Public Lands.

THE PREE PARM BILL. The House resumed the consideration of the pending motion to refer to the Committee of the reported by Mr. Johnson, of Tennessee, proposing to give to every head of a family one hundred and sixty seres of public domain, on condition that he will on cupy and improve the same, for a certain period.

Mr. Brown, of Miss., explained a substitute he in

tended to offer. The first section of which, simply contemplated a continuation of the present pre-emp-tion laws-the second, that the right pre-emption shall be perpetual, instead of limiting it to one or two years. The settler shall have as much time as his ne-

years. The settler shall have as much time as his necessities shall require to pay for the land at the minimum of one dollar and twenty five cents per acre. He did not propose to give away the lands absolutely. His object was to secure the settlement and occupancy and a home against misfortune and improvidence.

Mr. Johnson, of Tenn., withdrew his motion to refer. Mr. Vinyon moved to lay the bill ou the table. Decided in the negative. Year, 78; nays, 90.

The House, by a vote of 44 to 81, refused to second the demand for the previous question, which would have brought a direct vote on the bill.

Mr. Congen (whig) of N. Y., moved to refer it to the Committee of the whole on the State of the Union.

Mr. Johnson (dem.) of Tenn., called for the yeas and nays. He said that to send the bill there was equivalent to its rejection.

Committee of the whole on the State of the Union.

Mr. Johnson (dem.) of Train, called for the yeas and nays. He said that to send the bill there was equivalent to its rejection.

It was referred to the committee by yeas 121, nays 64.

Mr. JCHAN (freesoil) of Ia, moved to reconsider the vote, pending which the House wens into Committee of the Whole on the State of the Union on THE DEPLOYERSY APPROPRIATION SILL.

Several amendments were made, when all the clauses of the bill were got through with.

Mr. Syrkong, (dem.) of Pa., moved to amend, by providing that on and after the first day of April next, all duties required by law to be levied, collected, and paid on goods, wares, and merchandise, shall be assessed on the market value, with the addition of such charges as are now imposed by law, at the time and place of export: Provided that, upon all descriptions of iron, upon machinery, made, wholly or in part, of iron, and upon anchors, chain cables, and anviis, the duties shall be assessed upon the average prices, with the charges added, which like descriptions of iron bore in the principal ports during the ten fiscal years immediately preceding the year of importation, such values and charges to be ascertained and declared by the Secretary of the Treasury, as the basis for each succeeding fiscal year. Duties on window glass and linseed oil shall be thirty per cent; and upon all descriptions of iron, upon machinery made wholly or in part of iron, and upon chain cables, annotons, and anviis, the duties shall be forty per cent, provided that any excess of duties imposed by act en any railroad, and actually and permanently laid down for the use of such railroad, within one year after the passage of this act, shall be remitted by the Beoretary of the Treasury, on astifactory proof being furnished that such iron was so imported and laid down. Duties upon all cordage and yarns, composed fully or in part of them of the use of such railroad, within one year after the passage of this act, shall be represented by its expo

sumptionshall be, and the rame are hereby, extended to three years.

Mr. Jones raised the question of order. The amendment was irrelevant, and had nothing to do with the Deficiency bill; and again, it was in violation of the rule, which delares that such amendments shall not be made in a general appropriation bill.

Mr. BTRONG.—I suppose the question is not delatable.

CHAIRMAN, (Mr. Meade, dem., of Va.)—It is not.

Mr. JONNE.—This is a democratic Pennsylvania tariff.

Without proceeding further the Committee rose, and the House adjourned.

United States Senator for Massachusetts.

Boston, Jan. 28, 1851. The Senate voted viva voce, to-day, for United States Senator, to supply the vacancy occasioned by the resignation of the Hon. Daniel Webster. Thirteen whige voted for Winthrop; twelve democrats and nin-

The New Senator from Delaware.

PHILADELPHIA, Jan. 27, 1851. TO THE EDITOR OF THE HERALD. The notice in your paper a few days since, of the Hon. James A. Bayard, recently elected Senator of the

statements which demand some notice. constitution of the United States. This is an error; the work in question was written by James Bayard, Esq., a member of the Philadelphia bar.

Your article further states, that the Bayard family of Delaware, claim to be descended from the Chevalle Bayard, of France, "the good hnight, without fear and without reproach," as he was called by his contemporaries. Perhaps they do make this claim, and perhaps it is well founded, for one's ancestors, traced back a it is well founded, for one's ancestors, traced back a few centuries, multiply greatly; but the name proves nothing of the kind, for the name of the Chevaller was Pierre du Terrad, and hel added de Bayard,; from the chateau at which he was born, just as a John Smith might now style himself John Smith, of Smithville.—The life of the Chevaller makes no mention of his being married. The name of the Bayward family of Scotland, was corrupted to Bayard, and from them our families in the United States are probably derived. To suppose that the name Bayard is a proof of descent from the Chevaller, is about as reasonable as to conclude that every Mr. York, is descended from a Duke of York.

The Next California U. S. Senator.

Washington, January 28, 1851.
From private advices received here, per last mail from California, it is asserted that Col. Fremont's chance for re-election to the Senate is very slight, and Mr. Wethered, whig, formerly of Baltimore, will most

New Jersey Senator.

TRENTON, Jan. 28, 1851.

The election for U. S. Senator from this State will not take place for several days, or perhaps weeks, as the time for the joint meeting of the two houses for that purpose has not yet been fixed.

Meeting of the State Insurance Convention Urica, Jan. 28, 1851.

The State Insurance Convention assembled to-day There were delegates from most of the mutual in surance companies organized under the law of 1849 They assembled at Baggs' Hotel, at twelve o'clock The Hon. Peter Wagoner, of Montgomery county, was chosen President; E. Chester, of Rensselaer county, Vice-President; and H.C. Foote, of St. Lawrence county and Geo. Young, of Saratega county, Secretaries. De

e convention re-assembled, pursuant to adjourn , and on motion of J.W. Bisseil, of Rochester, it was The convention re-assembled, pursuant to adjournment, and on motion of J.W. Bissell, of Rochester, it was resolved to appoint a committee of five to recommend subjects for the consideration of the convention, and committees to investigate and report upon such subjects. The President named the following to compose said committee, viz:—Messrs. Young, of Saratogs; E. Comstock, of Rome J. W. Bissell, of Rochester; H. S. McCollum, of Albion; and H. R. Hart, of Ution. After consultation, the committee reported the names of the different committees; after which, the commend adjourned till seven P. M.

Taor, January 28, 1861.

A fire broke out at half-past one o'clock this morn ing, in the chair manufactory of Robert Green, 288 and 290 River street, destroying both buildings; also the one adjoining, viz. No. 286. The loss on the buildings is \$5,560-insured \$4.000 in the Albany Company and the Troy Mutual. The building No. 236 was occupied the goods (mostly destroyed) was \$8,500-with of the goods (mostly destroyed) was \$5,000—with \$5,000 insurance in the Etna. Albany, and Hartford Company. The loss in the chair factory is \$2,000, with an insurance of \$1,200 in the Lexington and Clinton, and Essex Mutual. The building was also occupied by W. W. Hisger's above store, loss \$1,000, partly insured; and by J. O. Merrican's clothing store, loss \$1,000, fully covered. The fire is the supposed work of an in-cendiary.

Watertown, January 28, 1851.

The aggregate loss in buildings and property by the fire here cannot be less than \$35 000. It is mostly now ered by insurance. The following is a list of the prin cipal sufferers :-

The steamer Hendrick Hudson has just left for Cieveland, on her second trip. The weather continues quite favorable.

NEW YORK LEGISLATURE. BY MORSE'S MAGNETIC TELEGRAPH.

By citizens of Schenectady, for par redemption country bank notes in the city of New York; of for-warders on the Champlain canal, that tolls may be imposed on railroads running both sides of said canal. PRIDGING LARE CHAMPLAIN.

Mr. GEDDES, from the Railroad Committee, made report on the subject of bridging Lake Champlain, at Rouse's Point. The report is adverse to granting au-thority to build the bridge.

favorable to allowing the bridge to be built.

Mr. Onness, from the Committees on Railways, made a report adverse to the bridge, but for different reasons from those advanced by the chairman. Mr. Dars had leave to intreduce a bill to direct the srection of the bridge; and the Senate adjourned.

Assembly. ALBANY, January 28, 1851.

PETITIONS PRESENTED. For the abolition of Normal schools. For the equalization of taxation. For the repeal of the law for the registry of births and marriages. Of citizens of New York, for the passage of a law for land limitations and

homestead exemptions.

BILL REPORTED.

Amending the law incorporating the Manhattan

REPORT OF THE CANAL FUND COMMISSIONERS. A communication was received from the Lieutenant Governor and the Attorney General, protesting against Governor and the Attorney General, protesting against the reception of the report purporting to be the report of the Canal Fund, and asking that it may be returned to the Commissioners of the Canal Fund, in order that the annual report of the different funds may be transmitted from the proper source.

Mr. Wherler, of Franklin, moved to lay the communication on the table. Carried—ayee 68, nays 24.

BOWERY SAVINGS BANK.

The seventeenth annual report of the Bowery Savings Bank was received.

The Senate sent; for the concurrence of the Assembly, the bill incorporating a national law school at Ballston. Referred.

Ballston. Referred.

By Mr. Townsend, to amend the charter of the St.
Luke's Hospital, New York. By Mr. Green, for an
amendment of the law repealing the act for the more
effectual prevention of fires in the city of New York.
By Mr. Lyon, for the disposal of the public lands in
sixty acre lots, and allotting to them actual settlers.

THE COMPROMISE RESOLUTIONS.

THE COMPROMISE RESOLUTIONS.

Mr. ANTHON, of Richmond, called for the resolutions on the Compromise, offered by Mr. Underwood, of Cayuga.

The House refused, by a decisive vote, to consider the same.

The bill, incorporating the city of Williamsburgh was referred to the Kings county delegation to report complete.

The Assembly then adjourned.

The Canadian Postal Laws.

TORONTO, CANADA, Jan. 28, 1851.
Dispatches have been received from England, communicating the assent of the imperial government to the new Canada Postal laws. A uniform rate of five cents throughout the British American provinces will be adopted.

The Murder and Suleide at Penfield. ROCHESTER, Jan. 28, 1881.

Coroner Pullis held an inquest upon the bodies of Miss Sarah Sharp and John Everett, yesterday, in Pen-field. Everett was a brother-in-law of Miss Sharp, and had for several years illicit intercourse with her. A man by the name of Chas. Edwards had lately become the part of Everett, who contemplated destruction.
On the evening of the murder, he sharpened up a jack knife, and proceeded to the residence of Mr. Campbell where Miss Sharp was. Edwards was also at Camp watching to see if Edwards and Miss S ware intimate minute after a scream was heard, when Campbell and Edwards went out, and found Miss Sharp's throat severed from ear to ear, and Everett in the same condition. Everett was about forty years of age, and Miss Sharp about thirty. The following communication was found in Everett's pocket, by which it seems that he contemplated his own destruction:—"My God. Sarah! could I ever believe, unless I had seen with my ewn eyes! Never did I think of seeing you lotting such a man—so diminutive a man—take my privilege, that you have promised me so much. My God! Sarah, I had rather be dead twice! He will drive me mad! You don't know my feelings. I see every motion—I see where you parted—I see that kiss. You made my feelings mad, and for this I die!"

Election in Wheeling-Ralroad Loan.

The charter election in this city went off quietly and resulted in the re-election of Alfred Caldwell Mayor, by 551 majority over Fingle. There was also a majority of 559 for a subscription, by the city, of \$250,000 to the Central Ohio Railroad stock.

Death of a New York Merchant

S. M. Stevens, Esq., an extensive dealer in Frenci code in New York, expired at his residence, in thi

Meteorological Observations.

BY MORSE'S TELEGRAPH—OFFICE 16 WALL STREET.

BUFFALO, Jan. 23-9 A. M.

Pleasant though cloudy, with indications of snow.
Wind east. Thermometer 33; barometer 29.20, and
falling.

6 P. M.—It commenced raining about 2 P. M., and
has continued ever since. The wind changed, about 10
o'clock, to the south, where it now is. Thermometer
44 above; barometer 26 55 and failing. The Hendrick
Hndson sailed at noon for Detroit.

ROCHESTER, Jan. 25-9 A. M.

Wind south; cloudy and chilly. Thermometer 30.
Appearance of rain.

August, Jan. 23-9 A. M.
Cool, cloudy and unpleasant. Strong wind from th

south. Thermometer 31.

8 P. M.—It has been raining quite hard all the even ling. Strong wind from the southwest. Thermometer 36. ter 36.

Syracuse, Jan. 23-9A. M.

The weather continues cold. Snow has fallen slight

Are weather continues cold. Show has fallen slightly. Wind seutheast. Thermometer 32.

A cold and stormy morning, with a piercing east wind. Snow falling rapidly. Thermometer 20; barometer 29:710.

S.P. M.—Cloudy and cold. Have had a very unpleasant day. Has not stormed much since morning. Thermometer 34; barometer failing.

Cloudy all night and commenced snowing about seven o'clock. Now snowing fast. Wind east. Thermometer 18; barometer 30:210; mercury in barometer 58.

S.P. M.—Cloudy and looks like snow. Wind south. Thermometer 39: barometer 39:820.

Thoy. Jan. 28—9 A. M. Cloudy and cold, and snowing fast. Wind east, but very light. Thermometer 30.

very light. Thermometer 20.

5 P. M.—Very little change since this morning Snowed slightly all day. Wind northeast. Thermometer 30.

Montagal., Jan. 28 - 9 A. M. Thermometer at zero; barometer 30 30, and rising Snowing moderately.

8 P. M. - Furious snow storm now raging. Wind southwest. Thermometer 24; barometer 29,60 and failing.

Thermometer one degree above, barometer 29.50 and Thermometer one degree above, barometer 29.95 Wind north; very forgy.

THER RIVERS, Jan. 28—9 A. M. Cloudy. Thermometer six above.

Baccaville, January 28—9 A. M. Storming heavily from the northeast.

KINGTON, Jan. 28—9 A. M. Thermometer 12 above. Snowing; wind northeast.

TORONTO, Jan. 28—9 A. M. Cloudy, and snowing lightly. Thermometer 30.

Burlington, Vt., Jan. 28—9 A. M. Thermometer 22 above. Wind south, and snowing quite fast.

quite fast.

8 P. M. — Weather cloudy, with a strong south wind, and a slight fall of snow. Thermometer 30.

Wind south, and snowing fast. Thermometer 19.

BY BAIN'S TELEGRAPH, OFFICE 29 WALL STREET.

DETROIT, Jan. 28-12 M.

Cloudy; varied slightly last night.

Ulerthard, Jan. 28-12 M.

Wind south; cloudy and warmer, with indications of Clear and pleasant, Pittssurou, Jan. 28-12 M.

Rotherter, Jan. 28-8 P. M.

Raining. Thermometer 40.

Bosron, January 28-7 P. M.

Cold and cloudy; looks like snowing. Thermometer 51. Snowing; wind south. Thermometer 34.

Snowing and raining alternately. Thermometer 35.

Snowing and raining alternately. Thermometer 35.

Naw Haves. January 28—7 P. M.
Cloudy and snowing: wind northeast. Thermometer 36.

BRIDGEFORT, January 28—7 P. M.
Miety, damp evening. Thermometer 86.
Stategore, January 23—7 P. M.
Cloudy; wind cast; stormy. Thermometer 86.

The PennsylVania Legislature.

Hamassuna, January 28, 1851.

In the Senate the following bills were reported from committees:—To incorporate the Chester Iros Company; supplement at to incorporate the Washington Coal Company, (with amendments) to incorporate the Merchanta Steam Tog and Navigation Company, with a recommendation that it be negatived. A resolution was adopted calling upon the Auditor General for information as to the amount of toffs due the commonwealth by certain relireeds, &c. Also, as to the expediency of a bill prohibiting tavers keepers from selling illuors on the Sabbath. The bill to incorporate the Wilkebarre and Scrantonia Coal Railroed Company, was passed. The House was engaged in the consideration of private bills.

The Maryland Reform Convention.

Baltimons. January 28, 1851.

In the Maryland Reform Convention, at Annapolit, the Committee on the Legislative Department, reported against imprisonment for debt; prohibiting the Legislature from interfering with the relative position of master and alave, and in favor of simplifying and abriding the rules of practice. A long debate took place on a preposition to give counties the right to seede and attach themselves to adjoining States.

We have no mail south of Petersburg to night.

United States Circuit Court

Before the Hon. Judge Betts.

CHARGE OF HOMICIDE ON BOARD OF A MAN-OF-WAR.

Jan. 28.—The United States vs. Freedrick Framekson, indicted as Edward Francis.—The prisoner, who is a young man, very small in stature, and apparently not more than 19 or 20 years of age, was given in charge to the jury, for the homicide of Edward Reed, and the United States District Attorney stated the case for the proceedition. The prisoner is indicted by the Grand Jury for an assault with a dangerous weapon on a seaman named Reed. The act of Congress provides that any person committing an assault with a dangerous weapon, on the high seas, shall be punished by a fine not exceeding \$8,000, and an imprisonment of not more than three years. The prisoner was an ordinary seamen on beard the U. S. frigate Brandywine; she was lying near Montevideo, about five miles from the harbor. The prisoner, it appears, had an altercation with a man named Reed, in the month of May, 1850. Some witnesses state that Reed first struck the prisoner; but is this the testimony conflicts. Others say he merely shoved him. It will appear in evidence that, when the conflict commenced, Francis struck Reed with a knife; they both fell upen the deck, and, to the horror of all on board, they found Reed a dead man. There were three wounds inflicted on him, (one in the region of the heart.) and the unfortunate man died in about five minutes. He presumed that the defence will be, that the prisoner could be indicted for murder, or the District Attorney should have left it his duty to have preferred an indicted on him, (one in the region of the heart.) and the unfortunate man died in his own defence; but it would appear that he was not in any danger of bodily harm, as Reed had no weapon. There is no act of Congress under which the prisoner could be indicted for murder, or the District Attorney should have left it his duty to have preferred an indictment for that crime.

Henry W. Kelly was examined by the District Attorney, and the prisoner and United States Circuit Court.

man; (the prisoner is very small) did not see a knils with Francis before Reed knocked him over the grindstone.

James Murray deposed to the altercation between the prisoner and deceased, and that he saw him put his hand behind him and take out his knife; they fell together, but witness did not see the blows given.

Cross-examined—This occurred about 7% o'clock, on the second deck; it was quite dark; there were no lights where they were.

A witness named Percento deposed to the same facts; took Reed to the main hatch ladder.

Cross-examined—Reed was beating Francis at the time; he was knocking his head against a roller; Francis was a more infant in the bands of Reed. Reed was giving him a dangerous beating; the prisoner was starce years on heard the Brandywine, and was a quiet and inoffensive lad.

A witness named ,Reynolds gave similar testimony; the prisoner has been in confinement since May, 1850.

Thomas H. Powell testified to the scutile, and to his having ploked up the knife; (identifies the knife produced; it is the ordinary clasp knife used by saliors;) Reed was the larger man by many degrees; when they fell together, Francis was under Reed.

Dr. Bache, surgeon of the fleet, deposed that he saw the body of Reed, one wound was over the region of the heart, cutting through the cavity into the apex; the second wound transfixed the liver; and the other was on the left arm, cutting it to the bone.

On cross-examination, the witness said he did not think the wounds could have been inflicted by thy deceared falling on the prisoner while he held the knife open; the wounds were deep, the knife apparently having been driven up to the hilt.

For the defence, John A. Barclay was called; and deposed that he was kept here as a witness for the procecution; was within six feet of Reed and Francis at the time of the occurrence; there was no one master to them; Reed had frequently aggravated Francis.

prosecution; was within six feet of Reed and Francis at the time of the occurrence; there was no one mearer to them; Reed had frequently aggravated Francis who was a peaceable man and a favorite on board; has not the rlightest doubt but the wounds were indicated by the struggling of the parties and the two falls which they had. they had.

District Attorney—How much money has Francis
given you lately? A.—Fifteen or twenty dollars.
Q.—When did he give you the last? A.—The day before

yesterday.

To Mr. Merrell-He did not give it-he only loaned To Mr. Merrell—He did not give to he out continuous.

Mr. Bebee addressed the jury on behalf of the prisoner, contending that the evidence in the case went to show that Francis held the knife merely for the purpose of deterring Reed from assailing him, and that the injuries were inflicted by the fails. This he believed, notwithstanding what the doctor had sworn to. The District Attorney summed up on the part of the people; and the Judge charged the jury, strongly condemning the use of dangerous weapons, even for self defence.

condemning the use of dangerous weapons, even for self defence. Verdict guilty, with a recommendation to mercy. Sentence deferred.

Verdict guilty, with a recommendation to mercy. Sentence deferred.

Court of Special Sessions.

Before the Recorder and Ald. Franklin and Concklin.

Jan 23.—Efficacy of Women's Tears—Among the sixty or seventy petty rogues tried at the Special Sessions this morning, was a woman named Jane Hipwell, a rather hard looking subject, who stood accused of stealing a quantity of towels, pillow cases, etc. from a dwelling house up town. As Jane was making her way to the bar, she caught one of the Tombs lawyers by the sleeve, and the following pitty dislogue ensued between them.

Jane—Say, old feller, get me off from goin to the Island, and I'll make it all right with ye. I don't mind going to the City prison.

Lawyer—Well, I'll do it. Now mind, when you get up there, cry like the d—l.

Following the advice of counsel, Jane had no sooner taken her place at the bar, than she up apron, and applying its isbric to her optics, began a most pitcous wall, intermingled with heartrending sols. The complainant gave the requisite testimony, and the prisoner was so overcome by her feelings, that she could say not a word in self-defence. She was, of course, convicted but the court could never think of sending such a lump of contrition to the Fentientiary, to be the campanion of hardened thieves, so she was sentenced to the City prison for thirty days. No sconer was the sentence passed than Jane's apron fell in easy folds to its proper position, and with a knowing look at the lawyer, the made her way out of the room in company with an officer.

Teking Liberties—Feying Dear for the Whitsite—Her-

officer.

Teking Liberties - Paying Dear for the Whistle - Her

was allowed to go on payment of the fine, with the admonition that in future he should "leave the girls alone."

JanUnnatural Son—John Wilkes, a boy not more than soventeen years of age, was placed at the bar charged with assaulting and beating his mother and sister. The mother was the complainant; and as she came upon the winese stand, her maternal feeling overpowered everything else and while she told her story, she, at the same time, intereded with the Court for her incorrigible son. Her appearance was respectable, and her grief unleigned. It appearance that strong drink was the cause of the unnatural conduct of the prisoner. With a proper admentition, and at the request of the complainant, the Court suspanded sentence, with directions that if the boy was again guilty of offences aimiliar to those with which he had just been charged, he should be arrested, and dealt with in a more severe manner.

Conjugal Difference.—" Matthew Ward," called the Clerk, and Matthew made his way up to the bar. He was a large man, nearly six feet high, and well proportioned, apparently fifty five or sixty years of age. His gray hair fell in abundant and irregular festoons about his ears, and was restrained from covering the face by being thrown back at right angles with its natural direction. "Here I am six," said Matthew, with a sort of bashful grin, smoothing first one arm and then the other, with his huge paims. "Mary Ward." again cried the Clerk, and the least bit of a woman appeared before the bench; and alter curtexyling two or three times, in quick succession, stapped upon the witness stand, and first looking good naturedly at the prisoner, asid to the presiding judge—
"I want to let 'im off, if ye please, sir (curtesping)

Recorder-Oh, you are willing to torgive him, ers

Recorder—Oh, you are willing to forgive him, sig you?

Mary (looking at Matthew)—Well, I am sig.

Recorder—Row, Matthew, you see your wife is here begging for you. Bhe is willing to forgive you. What did you strike her for?

Matthew—Why, your Honor, I didn't strike her; did I Mary? Ye see, yor honor, it was -fix was -(scratching his head)—it was at night, sig, and we were in bed, sig—and—and—it wasn't striking her I was at all.

Recorder (to Mary)—Ob, he didn't strike you, then; and it was in bed, was it?

Mary (hanging down her bead, and biting her singer nafls)—Yes, sig, if was in bed, about twelve o'clock, sig, and he didn't strike me, but—but—I'd wish to let him off, sig. (Laughter)

It appeared that Mary had attempted a bit of a Caudle lecture, which Matthew did not relish, but remnted in some way not exactly describable. The Court discharged the case, and the accused and complainent left apparently in the happiest mood possible.

Common Council.

BOARD OF ALDERMEN.

Jan. 28.—This Board met at the usual hour; Mr. M. Mergans, President, in the chair. The minutes of last meeting were read and approved.

PETITIONS REPERAD.

Of J. Paine and others, for the extension of sewer in Chapet and Reade streets; of J. C. Winams and others, to have lots on south side of Twenty-fourth street, between Seventh and Eighth avenues, fenced in and side walks fagged; of James Thompson and others, for a sewer in Frankin street, from Breadway to West Broadway; of M. A. Howkins and others, in behalf of the House of Industry and House of the Friendless, to be relieved from assessment.

The special committee on the subject of widening West street, from the Battery to Hammond street, presented a report to the Board of Alderman, recommending that application be made to the Legislature for authority to alter the exterior line of the city, for the purpose of widening the street and building storahouses on the west side of the street. After some considerable discussion upon a point of reference, the report was referred back to the committee, for the purpose of affording the minerity an opportunity of presenting their report on the subject.

The seventeenth report of the Bowery Savings Bank in the city of New York, was received. The trustsee repert that they had received, during the year 1850, from twenty-six thousand nine hundred and eighty-one depositors, the sum of \$1.902,558, of which number 7,389 were new accounts; that the sum of \$1,197,6734 has been paid to 14.591 depositors; that the funds of the institution on the lat of January, 1850, amounted to \$2.964.289 45, and the total assets on the 1st of January, 1861, were \$3.861.014 57.

RESOLUTIONS ADOFTED.

Resolved, That the Corporation councel he requested to examine and resource.

the institution on the lat of January, 1850, amounted to \$2.961.289 45, and the total assets on the lat of January, 1861, were \$3.851.014 57.

RESOLUTIONS ADDITED.

RESOLUTION THE RESILICATION Without delay, copies of all resolution that have been passed granting to the New York and Eric Railroad Company a lease of the land bounded by West, Duane. Washington and Reade streets, and also a copy of the lease, and whether it is in conformity with said resolution.

Whereas, This Board have learned with pleasure, that segmined his intention to visit the city of New York, during the ensuing mont. therefore—

Resolved. That a special committee of three from each Board, be appointed to tender to him the hospitalities of the city, and the use of the Governor's Room, for the reception of his friends, and to make such other strangements for the reception of this distinguished visiter, as may be necessary.

Resolved. That section 18th of the ordinance for the government of hackney coaches, passed May 30, 1848, fixing a hack stand on the southerly side of Courtland street, west of Washington street, be repealed. Whereas, There is a diversity of opinions in relation to the meaning of the charter in reference to the convocation of the sessions of the Common Council, therefore—

Resolved. That the counsel to the Corporation by requested to report to this Board whether the Common Council are to hold their sessions for one month commencing on the first Monday in the months prescribed, to the rame date in the month following, or for thirty days actual sitting.

The Board then adjourned to 50 clock this afternoon.

The Board then adjourned to 5 o'clock this afternoon.

BOARD OF ASSISTANT ALDERMEN.

JAN. 28.—This Board met last evening at a quarter past five o'clock. The President in the chair.

PRITITIONS.

Of sundry persons, for a sewer in Thompson street, between Amity and Bleecker streets. Referred. Of sundry persons, to have Eighty-third street, between Third and Fourth avenues, regulated. Referred. Of P. Ware, and others, adverse to removing awning posts from Chatham street. Referred.

REMONSTRANCET.

Remonstrance against removing Fulton Ferry from its present location. Referred.

Remonstrance of persons living on Eighth avenue and vicinity, against allowing railroad companies to lay any more rails in the streets of the city. Referred. Report of the Committee on the Law Department, in favor of confirming contract for regulating and grading Eighty-seventh street, from Third to Fifth avenues. Adopted.

Of Committee on the Fire Department, in favor of building a house for Hose Company No. 42, in Thirty-third street, between Ninth and Tenth avenues. Adopted.

Committee on Lamps and Gas. reported in favor of lighting Sixth avenue, from Twenty-sixth street to Thirty-fourth street, with gas. Adopted. Also, to light Bloomingdale road, from Fortieth to Sixty-first street, with oil. Adopted.

Of Committee on Markets, in favor of concurring in resolution to erect a crane for hoisting out fish cars at Fulton Market. Adopted.

Board concur.

RESOLUTIONS.

Resolution that South street, from Coenties slip to Maiden lane, be repaired, and the curb and gutter stones raised. Referred.

That the sunken lots on the north side of Thirty-ninth street, between the Seventh and Righth avenues, be filed. Referred.

That the Street Commissioner be directed to suspend any further action on the ordinance recently passed relative to the removal of awning posts in Chatham street, until the further order of the Common Council.

Adopted.

Adopted.

That it be referred to the Committee on Markets to report to this Board as to the expediency of selling Fulton Market and building new markets in Peck slip. elerred.

That Sheriff street, from Broome to Rivington street. That the owners or occupants of property in Chatham street be authorized to erect wrought iron awning posts or brackets, under the direction of the Street Commissioner. Adopted.

That the owners or occupants of property in Chatham street be authorized to erect wrought from awning posts or brackets, under the direction of the Street Commissioner. Adopted.

Police Intelligence.

Charge of Embezzlement.—Assistant Captain Fulton, of the First ward, arrested, yesterday, a young man of genteel appearance, by the name of E. L. Crissey, on a charge of embezzling a large quantity of silks, it., from the store of William MacArthur & Qo, importers, No. 72 William street. The accused, it seems, was a clerk in the employ of the above house; property was missing, and suspicion ultimately rested do trissey as the guilty party. He was accordingly taken into custody, and on searching his residence, several pieces of valuable silk were found. The accused was conveyed before Justice Lothrop, who committed him to the Tombs to await a further hearing.

Charge of Stealing Clething—Officer Edwards arrested, yesterday, a woman by the name of Maria Mitchell, residing at No. 12 Feck silp, on the charge of breaking open a trunk and stealing therefrom a quantity of female wearing apparel, the property of Bridget Karrigan, valued in ail at near Silo. It seems that Bridget Karrigan boarded at the house of Mrs. Mitchell, and during Bridget's abennee the trunk was forced open and robbed of the clothing in question. A dress was found in the possession of the accused, claimed by the complainant, Justice Lothrop held the accused to bail to answer the charge.

A Foung Grid Astray.—Yesterday morning, Capt. Ditchett, of the Fourth ward police, conveyed from a house kept by Wallace Parker, No. 308 Water street, a young girl of genteel appearance, aged fifteen years, whom the Captain considered in dangerous quarters, as the examples before her eyes, amost hourly, would soon have made her a victim to vice and prostitution. The girl said, about a year age abe came to this city with her mother, the washed to return to her relatives at Trenton. Accordingly, Capt. Pitchett very humanely conveyed her to the Commissioners of the Alm

o'clock—and Fraser, who is said so fixy then somewhat in liquor, began to quarrel with Firmhas, and from words they got to blows, and Fraser, in the course of the fight, is charged with inflicting the wounds as stated above. Justice Mountrort, Peter whem the prisoner was brought, committed him to prison, to await the feault to the injured man.

Altempt to Break out of Prison.—Two desparate blank men, called Peck and Murray, confined in the City prison on charges of highway robberies, raide a very bold attempt to break out of their cell in Monday night. The villains had succeeded in cutting a hole through the side of their cell, leading into the interior of the prison; but luckily, before the hole waristree enough to admit them to pass through, the night watch of the prison discovered their design. He walled glowly to the cell door, and discovered the rogues at work diging away the stone and mortar. A loade-pixtel was presented at them, in order to prevent their resistance. They were then removed from that cell, and provided with heavy leg irons and handcuffs, and in that way accursely placed in another department of the prison. The intention of the negroes, it is stated in the event of their obtaining their release from the cell into the prison, was to seizs the watchman on duly, secure him by taking his life, and then with the keys let themselves out. The idea spears to be in conformity with the negro character, and no doubt would have been carried into effect had they obtained their Meration from the cell, as anticipated.

Francian Opens House.—Last night the Opera House was througed by one of the most elegant assemblages of the season. Many of the aisles were filled with temporary seats, and there seemed to be more than ordinary interest on the part of all the auditors. This ordinary interest on the part of all the auditors. This was caused by the novelty of Parodi's appearance in the character of Romeo, and of Mise Virginia Whiting in that of Juliet, in Bellini's epars 'I Capuletti ed i Montecchi,' et, as it is styled in the bills, "Romeo and Juliet." The operalwas produced here under Banquirioe and Patti's management, but failed to please the public, for what reason it is not important to inquire. A very different result has now been seen. The opera, aided by the talents of Parodi, Mise Whiting, Lorini, Beneventano, and Patti, has given great delight, and we are quite prepared to endorse its merita. Mise Virginia Whiting, on this occasion, made her first appearance on any stage. She was beautifully dressed, and on her entrance at once made a highly favorable impression, a very powerful and natural demonstration of encouragement having been made by the ardent appleause of the whele heuse. This kind feeling was not lost upom the debutante, who, gaining courage, commenced her task with very slight trepidation, and gradually wented the admiration of her auditers. Her acting was such as gave promise of future excellence, and her pure soprano voice, light, delicate, trae and melodious, won for her very great distinction, while in the concerted musis she was always true to her time, evinoing a correct knowledge and practice in the vocal art. She was called out at the termination of each of her scenes, and several bouguets were threw upon the stage. These, Parodi, with admirable grace, pressed upon the youthful vocalist, who, in return seemed unwilling te receive them from the hand of the great astiste. On the whole, Miss Whiting made a decided hit, and we maticipate no ordinary success in her art. Of Parodi's Romeo, we shall have occasion to say something hereafter. It was another of those grand impersonations of character, which have deservedly stamped her as unsurpassed by any dramatic vocalist of the day.

The cavatina "Se Romeo," was inimitably executed, and the ellegro movement was

wanted, visit his ball.

Pellows' Minatranis—The concerts of this popular band of minatrels are received every night, by crowded and fashionable audiences, with the greatest demonstration of delight. The new burisaque on the Concerts Montres is a great hit, and well understood by the public. Secure your seats early to enjoy a good

MRS. DEANS. mother of the interesting little Fanny, who recites with such deverness the "Tale of Ninely-eight," will give a sacred concert, at Constitution Hall, Broadway, on Sunday evening next. She will be assisted by Miss Julia Gould, Mr. T. Lester, Mr. Dunn, and Mr. Condon.

Theatrical.

Bowksy Theatre.—The entertainments for this evening, consist of the excellent tragic play of "The Templar," which receives every night the entausiastic cheers of delighted audiences. Miss Hiffert will next sing one of her popular songs; and the amusements will succeed with the drama of "The Idiot Witness, or a Tale of Blood;" and the whole will conclude with the comediatta of "Crimson Crimes." This very attractive bill will, no doubt, draw a large assemblage.

BROADWAY TREATER.—The splendid spectacle of "Faustus" is, perhaps, the best and most attractive piece ever produced in this city. Every night some

piece ever produced in this city. Every night some in granture is being adde to it; and the best proof of its granture is being adde to it; and the best proof of its granture is being adde to it; and the best proof of its granture is a proper in the property of the many to the many to the many to the solid to contain those who we at that the house is not able to contain those who we are the way to the many to t

ball.

Sattlen's Commonance are attracting large audiences.
They are paintings of great artistic merit.
Miss Davenport is playing at Albary.
Mr. Mundoch was taken from the stage of the Walnut street Theatre. Philad-lphia, on the night of the 27th instant, in a state of inseguibility, caused by a runk of hired to the brain. In his had blue suffering from inde-position for several days.